



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 12, 1994

Ms. Alesia L. Sanchez
Legal Assistant
Legal and Compliance, 110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR94-645

Dear Ms. Sanchez:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 27455.

You sought an open records decision from this office pursuant to section 552.305 of the act. Consequently, this office notified representatives of CNA Insurance Companies that we received your request for an open records decision regarding the underlying actuarial data for dentists for CNA Insurance Companies ("CNA"). In our letter to CNA, this office requested an explanation as to why portions of its underlying actuarial data were excepted from public disclosure, with the caveat that its failure to provide such an explanation within a reasonable time would result in this office instructing you to disclose the information.

More than fourteen (14) days have elapsed since this office issued the notice, but CNA has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor CNA have contended to this office that the requested information should be withheld, you should release the information at this time.

If you have any questions regarding this letter, please contact our office.

Yours very truly,



Rebecca L. Payne
Section Chief
Open Government Section

RLP/sbm

Ref.: ID# 27455

cc: Ms. Ruth Eckert
CNA Insurance Companies
CNA Plaza - 38S
Chicago, Illinois 60685

Mr. Karl Manke
Corporate Vice President
American Phoenix Corporation
302 West Main Street
Avon, Connecticut 06001